



N.J. Human Resources Law Alert

A Publication of Saiber LLC's Employment Law Group
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“Employer’s Gender Equality Notice Effective November 21, 2012”

Under the new law approved on September 19, 2012, and signed into law by Governor Christie on September 21, 2012 every employer in New Jersey with 50 or more employees are required to do the following:¹

- ❖ Conspicuously post notification in a place or places accessible to all workers in each of the employer’s workplaces detailing the right to be free of gender inequity or bias in pay, compensation, benefits or other terms or conditions of employment under the New Jersey Law Against Discrimination, Title VII of the Civil Rights Act of 1964, and the Equal Pay Act of 1963.
 - A notice will be developed and issued by the Commissioner of the Labor and Workforce Development. The NJ Department of Labor intends to have a Notice available in January, but as of this writing, there is no date certain. We will attempt to inform all readers when the Notice is available, and you may check on our website for updates at www.saiber.com.
- ❖ The employer shall provide each worker of the employer with a written copy of the Notice:
 - not later than 30 days after the form of the notification is issued by the commissioner;
 - at the time of the worker’s hiring, if the worker is hired after the issuance;
 - annually, on or before December 31 of each year;
 - and at any time, upon the first request of the worker.
- ❖ The employer shall make the written copy of the Notice available to each worker:
 - by email delivery;
 - via printed material, including, but not limited to, a pay check insert, brochure or similar informational packet provided to new hires, an attachment to an employee manual or policy book, or flyer distributed at an employee meeting; or
 - through an Internet or Intranet website, if the site is for the exclusive use of all workers, can be accessed by all workers, and the employer provides notice to the workers of its posting.
- ❖ The notification provided by the employer shall contain an acknowledgement that the worker has received the notification and has read and understands its terms. The acknowledgement shall be signed by the worker, in writing or by means of electronic verification, and returned to the employer within 30 days of its receipt.

The final Chapter Law has not yet been posted, but the Advance Law is available at:
http://www.njleg.state.nj.us/2012/Bills/AL12/57_.PDF

- ❖ The employer shall post and provide the notification in English, Spanish, and any other language for which the commissioner has made the notification available and which the employer reasonably believes is the first language of a significant number of the employer's workforce.

About the Authors

For over 30 years, **Sean Kelly** (<http://bit.ly/QRPJyQ>) has focused his practice on counseling employers and defending employment cases, and has successfully tried many employment cases to verdict. He is certified by the Supreme Court of New Jersey as a Civil Trial Attorney, has been repeatedly included in New Jersey Monthly Magazine's list of New Jersey "Super Lawyers," holds the highest rating awarded by the Martindale-Hubbell Lawyers Directory, has been named a Master of two separate American Inns of Court, and is included on the New Jersey Superior Court roster of court-approved mediators.

DanaLynn Colao (<http://bit.ly/TE1ae1>) focuses her practice on business litigation with an emphasis on employment issues. She counsels and provides training for clients on a wide array of issues that arise in the workplace including medical leaves of absence, wage and hour claims, employment agreements and non-compete agreements. Strategic thinking and affirmative measures enable DanaLynn to significantly reduce potential liability for her clients. DanaLynn was selected to the *New Jersey Law Journal's* list of leading lawyers in the "Forty Under 40" selection and she has been listed since 2009 in the NJ Super Lawyers "Rising Star" category.

Disclaimer

The information contained in this notice should not be relied upon as legal advice and recipients of it should consult with an attorney to determine the specifics of the provisions referenced herein and their applicability to them.